

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00013

ERIC W. ENGLAND

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 2, 2018, the United States of America appeared by Jennifer Rada Herrald, Assistant United States Attorney, and the defendant, Eric W. England, appeared in person and by his counsel, John A. Carr, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Joseph Black. The defendant commenced a 72-month term of supervised release in this action on May 2, 2013, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on April 12, 2010.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: the defendant committed the federal and state felony offenses of possession with intent to deliver Roxicodone and possession with intent to deliver marijuana as evidenced by his plea of guilty to each offense on August 11, 2014, in the Circuit Court of Fayette County West Virginia, for which he received a sentence of not less than 2 nor more than 30 years for the Roxicodone conviction and a sentence of not less than 2 nor more than 10 for the marijuana conviction, which sentences were ordered to run consecutively to each other, the defendant having served a total of 4 years in state custody before coming into federal custody; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously

imposed upon the defendant in this action be, and it hereby is, revoked.

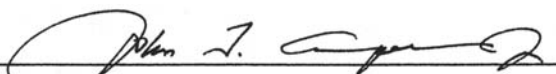
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE MONTHS AND ONE DAY.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to FCI Ashland.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 3, 2018



John T. Copenhaver, Jr.
United States District Judge